

Planning Board Public Hearing  
Wednesday, June 7, 2006  
Judge Welsh Hearing Room, Town Hall  
260 Commercial Street, Provincetown, MA 02657

Members Present: Howard Burchman, Anne Howard, Kevin Rich, Ellen Battaglini and Joe DiMartino  
Staff Present: Doug Taylor, Building Commissioner and Maxine Notaro, Permit Coordinator

Public Hearing called to order at 7 p.m.

Agenda

**Case #2006-10 Site Plan Review**

Application by **Edward "Ted" Malone** under Article 4, Section 4100 of the Zoning Bylaws for Dwelling Units and Commercial Accommodations. The applicant seeks approval for the construction of a three-unit residential dwelling at the property located at **10 Stearns Avenue (23 Race point Road) (Res3 Zone)**.

Abutter notification cards and site plan were submitted by Ted Malone.

Rachel Peters, an abutter, expressed her concern that planned fire road would eventually become a through fare and requested that Fire Chief be consulted as to necessity of this road.

Rick Silva, a resident on Nelson Ave. expressed his concern about heavy construction equipment and trucks causing damage to Nelson Ave. and asked if vehicles could be required to go through Mr. Malone's property instead of Nelson Ave. Mr. Malone responded that he would try to stage construction from his property but couldn't promise. He stated that he will make an effort not to damage Nelson Ave.; at the same time pointing out that it is a public way. Mr. Silva asked if there could be a stipulation requiring Mr. Malone to fix the road if it gets damaged. Doug Taylor will consult Sandy Turner of DPW, for an evaluation of Nelson Ave.

Larry Meads, a direct abutter, expressed many objections to this project:

- increased traffic and speeding
- none of the abutters are happy with proposal
- drainage issues on property
- rodents all over property
- dangerous electric fence for horses
- planned development for property is too large
- change the nature of surrounding community

Carl Osowski, an abutter, stated his concern about increased traffic and speeding, noting that 12 children live at the intersection of Nelson and Stearns Aves.

Kevin Rich stated that he thinks issue of damage to road should be addressed with DPW. Ted Malone said that he thinks that a previous evaluation of Nelson Ave. done by DPW should be in the file.

Anne Howard stated that she thinks Fire Chief should be consulted about proposed fire road. She also said she wished that members of the public would have come forward at earlier public hearings on this project.

Ellen Battaglini said that she thinks a site visit is necessary.

Howard Burchman said that he is concerned that property is being developed in a piecemeal fashion and would like to see large picture of development plans.

**Motion: Site visit will take place on June 21, 2006 at 6:15 p.m. and case will be continued until then and will be opened to public comments.**

**Moved: Anne Howard**

**Second: Kevin Rich**

**Vote: 5-0-0**

**Motion: To hear Case 2006-11 next.**

**Moved: Anne Howard**

**Second: Kevin Rich**

**Vote: 5-0-0**

### **Case 2006-11 Approval Not Required Plan**

William N. Rogers on behalf of Thomas R. Burke and Gary Reinhardt to discuss the conveyance of a portion of land at 27 and 29 Tremont Street, Provincetown

Mr. Rogers presented plan as requested.

**Motion: To endorse Approval Not Required**

**Moved: Anne Howard**

**Second: Ellen Battaglini**

**Vote: 4-0-1**

### **Approval Not Required Pre-Application**

JohnMcElwee on Felco, Inc. on behalf of Catherine Kelly to divide one large parcel of land into six build able lots at the property located at 55 West Vine Street.

Mr. McElwee presented plan and stated that each lot meets frontage and square footage requirements.

Howard Burchman was concerned that this did not fall under ANR but in fact required a Site Plan Review.

Ellen Battaglini disagreed stating that she believes this meets criteria for an ANR. Issue under dispute is Creek Road.

Possible consultation with Town Counsel was discussed.

Site visit is scheduled for July 19, 2006 at 5:45 p.m.

204 Bradford Street site visit - rescheduled to July 19, 2006 at 6:15 pm

### **Case #2006-08 Site Plan Review (Request continuance to July 19, 2006)**

Application by **Robert Hughes on behalf of Ann O'Hara Hughes, Trustee** under Article 4, Section 4100 of the Zoning Bylaws for Dwelling Units and Commercial Accommodations. The applicant seeks approval for the construction of four new residential condominiums at the property located at **204 Bradford Street** (Res3 Zone).

### **Discussion on Amendment to Site Plan Review (Continued to June 21, 2006)**

William N. Rogers on behalf of Evelyn M. Gentemann and Roberta J. Cornette to discuss the construction of a deck on the south elevation and for the installation of a swimming pool with surrounding decking at the property located at 10 Telegraph Hill, Provincetown, MA.

### **Case #2006-06 Site Plan Review (Continued to June 21, 2006)**

Application by **Neal Kimball on behalf of Provincetown Hospitality, LLC**. The applicant seeks approval to convert an existing motel to multi-family residential use at the property located at 540-544 Commercial Street.

### **Case #2006-07 Site Plan Review (Continued to June 21, 2006)**

Application by Neal Kimball on behalf of Provincetown Hospitality, LLC. The applicant seeks approval to convert an existing motel to multi-family residential use at the property located at 543-545 Commercial Street.

**Motion: To approve minutes of May 17<sup>th</sup> as corrected.**

**Moved: Kevin Rich**

**Second: Ann Howard**

**Vote: 4-0-1**

Discussion with Martha Hevenor about possible revisions to Zoning By laws.

It was decided that the following issues would be looked at:

-Growth Management

-Use table

-Home occupation

Martha will attend first Planning Board meeting of each month.

Planning Board Goals & Objectives were determined as follows:

I Affordable/Workforce Housing

II Economic Development

III By Law Review

a. growth management

b. use table

c. home occupation

IV Identify impediments to the creation and development of affordable/workforce housing in the by laws.

V Research and explore 40R Smart Growth Zoning.

Meeting adjourned at 8:40 p.m.

Respectfully submitted,

*Phyllis Lutsky*

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Recording Secretary

Approved by \_\_\_\_\_ on \_\_\_\_\_